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19 **IN THE UNITED STATES DISTRICT COURT**
20 **FOR THE DISTRICT OF ARIZONA**

21
22 EPA USA Incorporated,
23 Plaintiff,

24
25 v.

26 Kamil Knap,
27 Defendant.
28

No. CV-24-00749-PHX-GMS
**Stipulation for Extension
of Time RE: Expert Deadlines
(Second Request) and
All Remaining Deadlines
(First Request)**

Pursuant to Federal Rule of Civil Procedure Rule 16(b) and Local Rule 7.3, Plaintiff EPA USA, Inc., and Defendant Kamil Knap, by and through their undersigned counsel, stipulate and agree to a 90-day extension of all remaining deadlines as follows:

“Herein begins the Stipulation:

1. Full and complete expert disclosures, including plaintiff, defendant, and rebuttal, currently due on **January 10, 2025** (Doc. 68), shall be extended to **April 10, 2025**.
2. The deadline for completing fact discovery, including discovery by subpoena, currently due on **January 31, 2025** (Doc. 53), shall be extended to **May 1, 2025**.
3. Expert depositions, currently due on **February 7, 2025** (Doc. 68), shall be extended to **May 8, 2025**.
4. Dispositive motions, currently due on **February 14, 2025** (Doc. 53), shall be extended to May 15, 2025.
5. The Deadline for Engaging in Good Faith Settlement Talks, currently due on **February 7, 2025** (Doc. 53), shall be extended to **May 8, 2025**.
6. This stipulation for an extension of time is Plaintiff’s second request but is Defendant’s first request.
7. Plaintiff’s first request for an extension of expert-related deadlines was made by Plaintiff’s counsel due to the expectation that litigation in Singapore would likely conclude by the end of 2024 (Doc. 66).
8. The litigation in Singapore has not concluded.

1 9. There is good cause for this second request for an extension of all cur-
 2 rently remaining deadlines due to the pendency and hopeful resolution of
 3 the Singapore litigation.

4 10. There is additional good cause for this second request for an extension of
 5 all currently remaining deadlines due to the unusually voluminous
 6 amounts of data that was appropriately produced by Defendant.

7 11. The Parties have exchanged written discovery, including interrogatories,
 8 a request for production and a request for admissions.

9 Herein ends the Stipulation.”

10 **1. GOOD CAUSE FOR MODIFICATION EXISTS**

11 Rule 16(b)(4) permits the modification of a schedule for good cause and with
 12 the judge’s consent. “Rule 16(b)’s ‘good cause’ standard primarily considers the
 13 diligence of the party seeking the amendment.”¹ Further, this Court may modify
 14 the pretrial schedule “if it cannot reasonably be met despite the diligence of the
 15 party seeking the extension.”²

16 The Parties have diligently conducted discovery, exchanging written discov-
 17 ery and document productions.

18 Plaintiff timely retained and began working with experts. After recently ana-
 19 lyzing just parts of the 226.12 GBs of data produced by Defendant, Helga Zauner
 20 (a Partner with Weaver and Tidwell, LLP, Plaintiff’s retained experts) requested
 21 an additional ninety (90) days for evaluation and reporting.

¹ *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992).

² *Id.*

1 For context, when prompted, Claude.ai described 226.12 GBs of data, in
2 part, as follows: “If you were to print out all that data on standard paper and stack
3 it up, it would make a tower about 7 miles high - that’s like stacking 35 Empire State
4 Buildings on top of each other. . .”³

5 ChatGPT described 226.12 GB, in part, like this: “Books: A typical printed
6 book is about 1 MB (megabyte) in digital size when converted to text. Since there
7 are 1,024 MB in a GB, 226.12 GB could store roughly 226,120 books. That’s like a
8 large library. . .”⁴

9 Attorneys for the Parties intend to schedule remote party depositions in early
10 January 2025 to occur in April 2025.

11 The Parties will separately lodge a proposed form of order consistent with
12 the relief requested, complying with Rule 7.1(b)(3) of the Local Rules of Civil Pro-
13 cedure.

14 WHEREFORE, for all the reasons stated above, Plaintiff EPA and Defend-
15 ant Kamil Knap respectfully request that this Court enter the Proposed Order re:
16 Stipulated Extension of All Remaining Deadlines.

³ Ex. 1.

⁴ Ex. 2.

1 **DATED** December 30, 2024.

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3
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